

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P28519
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/549,630
INTERNATIONAL APPLICATION NO. PCT/JP2004/003789	INTERNATIONAL FILING DATE March 19, 2004	PRIORITY DATE CLAIMED March 20, 2003	
TITLE OF INVENTION PHOSPHOLIPID DERIVATIVE			
APPLICANT(S) FOR DO/EO/US Chika ITOH, Syunsuke OHHASHI, Kazuhiro KUBO, Tohru YASUKOHCHI, Hiroshi KIKUCHI, Norio SUZUKI, Miho TAKAHASHI and Hitoshi YAMAUCHI			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.</p> <ol style="list-style-type: none"><input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.<input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.<input type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.<input type="checkbox"/> The US has been elected (PCT Article 31).<input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<ol style="list-style-type: none"><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<input type="checkbox"/> has been communicated by the International Bureau.<input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).<ol style="list-style-type: none"><input type="checkbox"/> is attached hereto.<input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d) (4).<input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<input type="checkbox"/> have been communicated by the International Bureau.<input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<input type="checkbox"/> have not been made and will not be made.<input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). "EXECUTED"<input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 22 below concern other document(s) or information included:</p> <ol style="list-style-type: none">Assignee: <u>NOF Corporation of Tokyo, Japan and DAIICHI PHARMACEUTICAL CO., LTD. of Tokyo, Japan</u><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.<input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.<input type="checkbox"/> A substitute specification.<input type="checkbox"/> A power of attorney and/or change of address letter.<input type="checkbox"/> Figure of Drawing to be published:<input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.<input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d) (4).<input type="checkbox"/> A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).<input checked="" type="checkbox"/> Other items or information: Cover Letter. PCT/DO/EO 905.			

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/549,630		INTERNATIONAL APPLICATION NO. PCT/JP2004/003789		ATTORNEY'S DOCKET NUMBER P28519	
23 <input type="checkbox"/> The following fees are submitted: Basic national fee.....300.00				CALCULATIONS	PTO USE ONLY
				\$0.00	
24 <input type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4).....100.00 All other situations.....200.00				\$0.00	
25 <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority.....100.00 International Search Report prepared and provided to the Office.....400.00 All other situations.....500.00				\$0.00	
TOTAL 23, 24 and 25 =				\$0.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50 =		x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =	0	x \$50.00	\$0.00	
Independent Claims	- 3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				\$ 0	
Extension of Time fee in the amount of \$				\$ 0	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0	
TOTAL FEES ENCLOSED =				\$130.00	
08/22/2006 MKAYPAGH 00000087 10549630				Amount to be refunded	\$
01 FC:1617 130.00 SP				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$130.00 to cover the above fees is included.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.					
c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF:					
Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191			Stephen M. Roylance Reg. No. 31,296 Bruce H. Bernstein NAME 29,027 REGISTRATION NUMBER		

P28519.P05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : C. ITOH et al.

Mail Stop PCT

PCT Branch

Appl. No: : 10/549,630
(National Stage of PCT/JP04/03789)

I. A. Filed : 19 March 2004

For : PHOSPHOLIPID DERIVATIVE

COVER LETTER

Mail Stop PCT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed Declaration set forth in the Notification mailed June 29, 2006 which sets a two-month period of response until August 29, 2006, Applicants hereby submit:


- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

The Notification of Missing Requirements mailed June 29, 2006 sets forth an additional surcharge of \$610 for 5 total claims over 20 and multiple dependent claims. In this regard, Applicants note that together with entering the National Stage on September 20, 2005, Applicants filed a Preliminary Amendment wherein multiple dependent claims 7 and 10 were amended to depend from claim 1 only and new claims 11-20 were submitted. Copies of the Preliminary Amendment and the Mailroom Filing Receipt evidencing the filing of the Preliminary Amendment on September 20, 2005 are enclosed herewith as well. In view of the foregoing, Applicants respectfully submit that there is no basis for requesting a \$610 claim surcharge.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
C. ITOH et al.


Bruce H. Bernstein
Reg. No. 29,027

Stephen M. Roylance
Reg. No. 31,296

August 16, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/549,630	Chika Itoh	P28519

INTERNATIONAL APPLICATION NO.

PCT/JP04/03789

I.A. FILING DATE	PRIORITY DATE
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03/19/2004

03/20/2003

07055
 GREENBLUM & BERNSTEIN, P.L.C.
 1950 ROLAND CLARKE PLACE
 RESTON, VA 20191

RECEIVED**JUN 30 2006**

GREENBLUM & BERNSTEIN PLC

CONFIRMATION NO. 6182

371 FORMALITIES LETTER



OC000000019424431

Date Mailed: 06/29/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/20/2005
- English Translation of the IA filed on 09/20/2005
- Copy of the International Search Report filed on 09/20/2005
- Copy of IPE Report filed on 09/20/2005
- Preliminary Amendments filed on 09/20/2005
- Oath or Declaration filed on 09/20/2005
- Request for Immediate Examination filed on 09/20/2005
- U.S. Basic National Fees filed on 09/20/2005
- Priority Documents filed on 09/20/2005
- Specification filed on 09/20/2005
- Claims filed on 09/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$610 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$740** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 610**
 - **\$250** for 5 total claims over 20.
 - **\$360** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

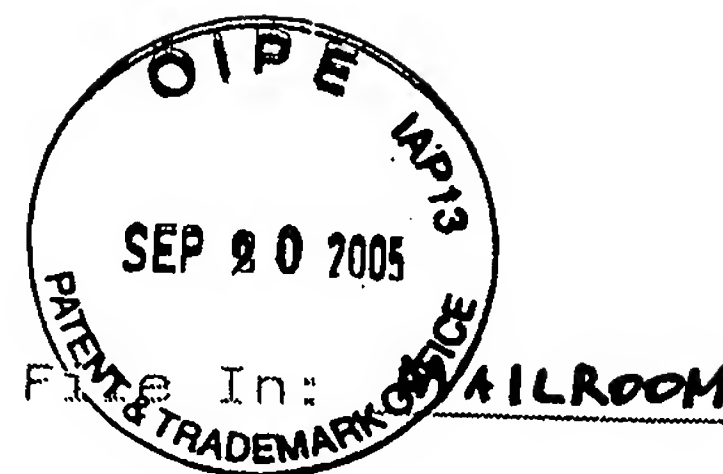
PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/549,630	PCT/JP04/03789	P28519

GREENBLUM & BERNSTEIN, P.L.C.
Intellectual Property Causes
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

COPY

9/20/2005



The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

(x) U.S. NATIONAL PHASE OF P4/JP2004/003789, Piled MARCH 19, 2004

- | | |
|--|---|
| <p>(X) Amendment <u>PRELIMINARY</u></p> <p>() Executed Assignment and cover letter</p> <p>() Executed S.E.S. () S.E.S. Assertion</p> <p>() Req. for Ext. of Time</p> <p>(X) Fee Filing (X)</p> <p> Recording ()</p> <p> Issue ()</p> <p> Extension ()</p> <p> Publication ()</p> <p>() Fee Transmittal</p> <p>() Maintenance Fee Payment</p> <p>() PTOL-85B Issue Fee & Publication Fee (with Copy)</p> <p>() Cover Letter Regarding Drawings</p> <p>() Design Patent Application Transmittal</p> <p>() Utility Patent Application Transmittal</p> <p>() Provisional Application Cover Sheet</p> <p>() Request for Continued Examination (RCE) including Submission</p> <p>() Cover Letter</p> <p>() Credit Card Payment for \$ (Form PTO-2038)</p> <p>(X) Check No. 55630 for \$ 900.00</p> <p>() Rule 53b and 53f Letter for Unexecuted Application</p> <p>() Application Data Sheet</p> | <p>(X) Claim of Priority & Certified Copy of _____</p> <p>(X) Declaration () Executed (X) Unexecuted () Copy from parent</p> <p>(X) Transmittal Letter</p> <p>() Patent Application</p> <p> () Provisional () Reexam</p> <p> () Reissue () Design</p> <p> () Continuation () CIP</p> <p> () Divisional</p> <p> <u>35</u> pages (w/abstract)</p> <p> <u>20</u> claims <u>2</u> independent sheets of drawings figures</p> <p>() I.D.S. form PTO-1449 & Documents () as attached () as listed on reverse</p> <p>(X) One self-addressed postcard</p> <p>() Certification under 1.97(e)</p> <p>() Certificate of Mailing (C-O-M)</p> <p>() Returned Envelope</p> |
|--|---|
- "See Back".....

In the matter of : PHOSPHOLIPID DERIVATIVE

Applicant : Chika ITOH *et al.*

Application No. : *Not yet Assigned*

Patent No. :

Filed : *Conservatively Herein*

Issued :

Docket : P28519

BHB